

05/25/2006 14:12 212-259-6701

DEWEY BALLANTINE

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MATTHEW F. BURKE,

Plaintiff,

-against-

BANK OF AMERICA, N.A.,


Defendant.

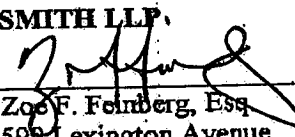
Case No. 06 CV 1704 (DLI)(LB)

**STIPULATION OF
DISCONTINUANCE WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, plaintiff Matthew F. Burke, and counsel to Bank of America Corporation, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action is hereby discontinued in its entirety, with prejudice, as set forth in a settlement agreement executed by the parties on May 25, 2006.

Dated: New York, New York
May 25, 2006

By: 
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Plaintiff *Pro Se*

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Bank of America Corporation

SO ORDERED

Hon. Dora Irizarry, U.S.D.J.

*Dated: Brooklyn, NY
June 5, 2006*